

GOVERNMENT OF ANDHRA PRDESH  
ABSTRACT

R&B Department – Krishna District – Sanction of decretal amount of Rs.83,397/- under contingency fund to deposit the same in the Principal Senior Civil Judge, Vijayawada in OP No.272/90 of EP No.82/2009 filed by Sri Ch Rathaiah, Contractor for work” Laying of road from Vedadri to Konakanchi from KM 11/0 to 22/0” - Sanctioned - Orders – Issued.

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TRANSPORT, ROADS AND BUILDINGS (ROADS.VI) DEPARTMENT

G.O.Rt.No: 158

Dated:17-02-2011  
Read the following

1. From the Engineer-in-Chief (R&B), Roads, Hyd., Letter No.019668/DEE 1/AEE 1/2010, Dated 05-10-2010.
2. From the Engineer-in-Chief (R&B), Roads, Hyd., Letter No.019668/DEE 1/AEE 1/2010, Dated 05-01-2011.

-X-X-X-X-X-

ORDER:

In the reference 1<sup>st</sup> read above, the ENC(R&B) Roads has stated that the work” Laying of road from Vedadri to Konakanchi from KM 11/0 to 22/0” was awarded to Sri Ch Rathaiah, Contractor and entered in to agreement by the Superintending Engineer (R&B) CAD Circle, Secunderabad vide agreement No.53/L/81-82 Dated 24-02-1982. The contractor executed a little bit of work and suspended the work from 25-05-1982. The EE/R&B/Miryalaguda has issued notices to the contractor, but the contractor did not turn up and finally the contract was determined under clause 60(a) of PS to APSS duly forfeiting the deposits and the value of work done etc.,

2. Aggrieved by the above, the Contractor has approached the panel of arbitrators and filed OP No.272/90, in Senior Civil Judge Court, Vijayawada with certain claims to adjudicate the dispute with the department. The department also filed rebuttal statement before the panel of arbitrators contradicting all the claims of contractor. After hearing, the panel of arbitrators have passed award on 15-04-1987 in favour of contractor directing the respondents to refund the deposits and work bills if any pending to the contractor. The contractor was fully paid for the work executed by him. Due to delay in payment, the contractor has filed CMA No.352/2004 on 13-10-2003 in the Hon’ble High Court of AP, Hyderabad for payment of EMD + interest from 01-04-1983. The Hon’ble High Court of AP have passed orders on 23-03-2006 in CMA No.352/2004 for payment of EMD of Rs.19,350/- plus interest @ 12% per annum from 01-04-1983 till the date of realization. The decretal amount is Rs.19,350-00 + 64048-00 (interest from 01-04-1983 to 30-10-2010 at 12%) total Rs 83,397/-. The contractor has also filed E.P.no.82/2009 on 16-7-2009 in the Principal Senior Civil Judge, Vijayawada and the court ordered to pay the amount immediately. The ENC(R&B) Roads has, therefore, requested the Government to sanction decretal amount of Rs.83,397/- under contingency grant in advance to deposit same in the Principal Senior Civil Judge, Vijayawada.

P.T.O.,

3. Government after careful examination of the matter hereby sanction an amount of Rs.83,397/-(Rupees Eighty three thousand three hundred and ninety seven only) to deposit the same in the Principal Senior Civil Judge, Vijayawada in connection with the OP No.272/90 of EP No.82/2009 filed by Sri Ch Rathaiah, Contractor for the work" Laying of road from Vedadri to Konakanchi from KM 11/0 to 22/0."

4. The expenditure sanctioned in Para (3) above shall be debited to the Head of Account:- "5054-Capital outlay on Roads and Bridges 04-District and other Roads MH 800- Other Expenditure GH 11- Normal State Plan SH(07)-Major District Roads 530- Major works 531- Other Expenditure (Charged)" and shall be met initially as an advance from the contingency fund. Orders regarding release of funds from contingency fund will be issued by Finance (BG.I) Department separately.

5. The Engineer-in-Chief (R&B), State Roads, Hyderabad, shall send necessary proposals to Government at appropriate time for obtaining supplementary grant to recoup the advance sanctioned from the Contingency Fund during the current Financial Year 2010 – 2011.

6. This order issues with the concurrence of Finance (Expr.PWD) Department, vide their U.O.No.1725/58/Expr.Pwd/A2/11, Dt:09-02 -2011.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S.P.SINGH  
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Engineer-in-chief (R&B), State Roads, Hyderabad

The Superintending Engineer (R&B), Vijayawada.

The Account General, Andhra Pradesh, Hyderabad,

The Pay and Accounts officer, Vijayawada.

The Director of Works Account, Hyderabad,

Copy to:

The Finance (Exp.PW) Department.

The Finance (BG.I) Department

The P.S. to the Principal Secretary to Government, T,(R&B) Dept.,

SF/SC.

// FORWARDED::BY ORDER //

SECTION OFFICER